

**ReedSmith**

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November 12, 2010

**VIA HAND DELIVERY**

The Honorable John P. Fullam  
United States District Court  
for the Eastern District of Pennsylvania  
Room 15614  
601 Market Street  
Philadelphia, PA 19106

**The Abi Jaoudi and Azar Trading Corp. v. CIGNA Worldwide Ins. Co.**  
**U.S.D.C. E.D. Pa., No. 91-6785**

**FILED**  
**NOV 16 2010**  
**MICHAEL E. KUNZ, Clerk**  
**By Dep. Clerk**

Dear Judge Fullam:

We represent the current and former Commissioners of Insurance for the Republic of Liberia.

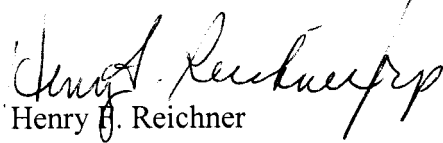
Our clients made an application to the United States Department of State (the "Department") in September for a Statement of Interest on the issue of immunity pursuant to this Court's directive and as indicated in the November 10, 2010 correspondence to you from CIGNA Worldwide Insurance Company ("CWW"). Separately, we understand that the Republic of Liberia made a formal diplomatic request for the Department to issue a Statement of Interest coupled with a Suggestion of Immunity for both of our clients as well as their agents, including Attorney Samuel M. Lohman. In light of this Court's expressed desire to hear from it by November 22, 2010, the Department invited the parties to meet with it this week or next. While we are able to do so, we understand that CWW says it is unable to meet with the Department until December 14, 2010, and that, accordingly, the Department will not be in a position to make a decision one way or the other by November 22, 2010.

We have no objection to a 60 day extension until January 21, 2011, for a response from the Department. We also agree with CWW that it makes sense to push out the deadline for responding to discovery for all parties to a point in time after the Department has rendered a decision. We suggest that, instead of making the discovery responses due 2 days after the Department's response, the Court enter an Order setting a deadline for discovery responses 15 days after the Department renders its decision. We think this makes sense because, if the Department is of the view that our clients are immune from suit, there will be no need to prepare and serve responses in the first place. By widening the gap between the date of the Department's decision and the deadline for discovery responses from 2 days to 15 days, the Court will help the parties clients avoid potentially unnecessary costs. CWW would certainly not be prejudiced by the additional 13 days. We submit herewith a proposed form of Order to that effect.

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November 12, 2010  
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Respectfully,



Henry F. Reichner

HFR:rp

Enclosure

cc: Mary Catherine Malin, Esquire (w/encl.)  
Assistant Legal Adviser for Diplomatic Law and Litigation  
United States Department of State  
Richard J. Bortnick, Esquire (w/encl.)  
Donald W. Hawthorne, Esquire (w/encl.)  
Mark E. Gottlieb, Esquire (w/encl.)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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THE ABI JAOUDI AND AZAR TRADING CORP.,

Plaintiff,

v.

CIGNA WORLDWIDE INS. CO.,

Defendant.

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CIVIL ACTION NO. 91-6785

**ORDER**

**AND NOW**, on this \_\_\_\_\_ day of \_\_\_\_\_, 2010, it is hereby  
**ORDERED** and **DECREED** as follows:

1. The Department of State is requested to provide a response, if any, to the request for a statement of interest in this matter or to inform the Court if it requires additional time to consider the matter on or before January 21, 2010; and

2. Respondents need not respond to any discovery served by CIGNA Worldwide until 15 days have passed from the date the Department of State provides the Court with its position on the question of immunity.

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Fullam, J.